1 MITCHELL D. GLINER, ESQ. Nevada Bar No. 3419 2 3017 West Charleston Blvd., #95 Las Vegas, Nevada 89102 702-870-8700 3 702-870-0034 Fax 4 Attorney for Plaintiff 5 6 UNITED STATES DISTRICT COURT DISTRICT OF NEVADA 7 8 RICHARD C. STROHECKER, 9 Plaintiff. CASE NO. 10 11 **EXPERIAN INFORMATION** 12 SOLUTIONS, INC., JURY DEMANDED 13 Defendant. 14 COMPLAINT 15 JURISDICTION 16 The jurisdiction of this Court attains pursuant to the FCRA, 15 U.S.C. Section 1. 17 1681(p), and the doctrine of supplemental jurisdiction. Venue lies in the Southern Division 18 of the Judicial District of Nevada as Plaintiff's claims arose from acts of the Defendant 19 perpetrated therein. 20 PRELIMINARY STATEMENT 21 2. The Plaintiff brings this action for damages based upon Defendant's 22 violations of the Fair Credit Reporting Act, 15 U.S.C § 1681 et seg. (hereinafter referred 23 to as "FCRA"), and of state law obligations brought as supplemental claims. 24 3. Plaintiff is a natural person and is a resident and citizen of the State of 25 Nevada and of the United States. Plaintiff is a "consumer" as defined by § 1681a(c) of the 26 FCRA. 27 28

- 4. The Defendant Experian Information Solutions, Inc. ("Experian") is a corporate entity licensed to do business in the State of Nevada.
- 5. Experian is a consumer reporting agency, as defined in § 1681(f) of the FCRA, regularly engaged in the business of assembling, evaluating, and dispersing information concerning consumers for the purpose of furnishing consumer reports, as defined in § 1681a(d) of the FCRA, to third parties.

FACTUAL ALLEGATIONS

- 6. Plaintiff's creditworthiness has been repeatedly compromised by the acts, obduracy and general indifference of the Defendant.
- 7. Plaintiff's May 26, 2006 credit profile reflects an outstanding state tax lien in the amount of \$5,700.00 (Exhibit 1).
- 8. This state tax lien is not reported on either Plaintiff's Equifax or Trans Union credit profiles.
- 9. That is probably because the \$5,700.00 reported exclusively by Defendant was released during August 1998 (Exhibit 2).

STATEMENT OF CLAIM AS AGAINST DEFENDANT

- 10. In the entire course of its action, Defendant willfully and/or negligently violated the provisions of the FCRA in the following respects:
 - a. By willfully and/or negligently failing, in the preparation of the consumer reports concerning Plaintiff, to follow reasonable procedures to assure maximum possible accuracy of the information in the reports.

PRAYER FOR RELIEF

THEREFORE, Plaintiff prays that the court grant the following relief as against Defendant:

- a. actual damages;
- b. punitive damages;
- c. attorney's fees; and

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costs. d. Respectfully submitted, MITCHELL D. GLINER, ESQ. Nevada Bar No. 3419 3017 West Charleston Boulevard Suite 95 Las Vegas, Nevada 89102 Attorney for Plaintiff

EXHIBITS



X Close

Print re

Online Personal Credit Report from Experian for

Experian credit report prepared for RICHARD STROHECKER

Your report number is 0664694893 Report date: 05/26/2006

Index:

- Potentially negative items

Accounts in good standing

- Requests for your credit history

- Personal information

- Important message from Experian

- Contact us

Know your rights

Experian collects and organizes information about you and your credit history from public records, your creditors and other relia sources. Experian makes your credit history available to your current and prospective creditors, employers and others as allowed law, which can expedite your ability to obtain credit and can make offers of credit available to you. We do not grant or deny cred credit grantor makes that decision based on its own guidelines.

Potentially Negative Items

ba

Public Records

Credit grantors may carefully review the items listed below when they check your credit history. Please note that the account connected with some public records, such as bankruptcy, also may appear with your credit items listed later in this report.

SAN DIEGO COUNTY REC

Address:

1600 PACIFIC HWY STE 260 SAN DIEGO , CA 92101 No phone number available

Identification Number: SQ40304322)

Status:

State tax lien filed.

Date Filed: 05/06/1994

Date Resolved:

NA

Responsibility:

NA

Claim Amount:

\$5,700

Liability Amount:

Credit Items

For your protection, the last few digits of your account numbers do not display.

APPLIED CARD BANK

Address: PO BOX 17123

Account Number: 422709725788....

WILMINGTON, DE 19850

(561) 982-9111

Status: Paid in settlement/Account charged off. \$2,929 written

off

Date Opened: 07/1999

Type: Revolving Credit Limit/Original Amount:

\$2,050

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Recording Requested By: STATE OF CALIFORNIA FRANCHISE TAX BOARD

When Recorded Mail To:

LIEN DESK PO BOX 2952 SACRAMENTO, CA 95812-2952 4 443 AUG 10, 1998 4:04 PM

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
GREGORY J. SMITH, COUNTY RECORDER
FEES: 11.00





STATE OF CALIFORNIA FRANCHISE TAX BOARD

RELEASE OF LIEN

The Franchise Tax Board of the State of California hereby releases the lien imposed under Parts 10 or 11 of Division 2 of the Revenue and Taxation Code as evidenced by the following described certificate of tax, interest and penalties due:

Certificate Number: 94123-000436

Filed Against: RICHARD C STROHECKER

FTB Account Number: 192389435

Social Security Number:

Filed With: COUNTY OF SAN DIEGO

Date Recorded: 05/06/94

In Book: 94-0304322

At Page:

IN WITNESS WHEREOF the Franchise Tax Board has duly authorized the undersigned to execute this Release in its name.

Dated: 08/06/98

Collection Bureau

Telephone Number: (916) 845-4350

By:

Α

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FTB2730 MEO Rev 8/94